

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

THE HOME DEPOT, INC. and HOME
DEPOT U.S.A., INC.,

Plaintiffs,

v.

STEADFAST INSURANCE CO. and
GREAT AMERICAN ASSURANCE CO.,

Defendants.

Civil Action No. 1:21-cv-00242-SJD

District Judge Susan Dlott

Oral Argument Requested

**NOTICE OF STEADFAST INSURANCE COMPANY'S CROSS-MOTION FOR
SUMMARY JUDGMENT AGAINST PLAINTIFFS**

PLEASE TAKE NOTICE that Defendant, Steadfast Insurance Company (“Steadfast”), upon the accompanying Notice of Filing Exhibits, Certification of Steven D. Cantarutti, Esq., dated September 30, 2022, and exhibits attached thereto, Steadfast’s Response to Plaintiffs’ Proposed Undisputed Facts, Steadfast’s Additional Proposed Undisputed Facts, and Steadfast’s Memorandum of Law, and in accordance with this Court’s Scheduling Order (Doc. 41), moves this Court, pursuant to Fed. R. Civ. P. 56 and the Court’s Standing Order on Civil Procedures, before the Honorable Susan Dlott, United States District Judge for the Southern District of Ohio, Western Division, located at the Potter Stewart U.S. Courthouse, Room 227, 100 East Fifth Street in Cincinnati, Ohio, for an Order granting Steadfast’s Cross-Motion for Summary Judgment Against Plaintiffs, The Home Depot, Inc. and Home Depot U.S.A., Inc. (collectively, “Plaintiffs” or “Home Depot”), declaring that Steadfast has no duty to defend or indemnify Home Depot for the “payment card claims” asserted by financial institutions as a result of a 2014 data breach from

Home Depot's computer payment systems, along with such other and further relief as this Court deems just and proper.

Dated: October 13, 2022

Respectfully Submitted,

/s/ Kevin M. Young
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*Attorneys for Defendant
Steadfast Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, the foregoing Notice of Steadfast Insurance Company's Cross-Motion for Summary Judgment Against Plaintiffs, was filed using the CM/ECF system, which will automatically provide notice to all counsel of record by electronic means.

Dated: October 13, 2022

Respectfully Submitted,

/s/ Kevin M. Young
Kevin M. Young (0029715)
*One of the Attorneys for Defendant
Steadfast Insurance Company*